UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Belmont

FROM : A. Rosen

DATE: July 3, 1964

1 - Mr. Belmont
1 - Mr. Mohr
1 - Mr. Conrad
1 - Mr. DeLoach
1 - Mr. Rosen
1 - Mr. Sullivan
1 - Mr. Malley

SUBJECT: PRESIDENT'S COMMISSION REPORT
REVIEW OF "THIRD DRAFT"

On July 3, 1964, representatives of the Domestic Intelligence Division, General Investigative Division, and the Laboratory reviewed the third draft of the President's Commission report. This draft, the separate chapters of which were dated during the early part of June, 1964, comprised approximately 475 pages. The report contains no criticism of the FBI or of any other agency Federal or local. The Commission states the report does contain conclusions and recommendations. The material we received does not set forth the conclusions and recommendations. Likewise, the report concerning Lee Harvey Oswald ends at the time he returned to the United States from the Soviet Union in June of 1962; and therefore, the portion dealing with the Bureau's background investigation of Oswald prior to the assassination is missing. There will be a fourth and final draft made available through a source by July 23, 1964, which will contain the final conclusions and recommendations of the Commission.

We have been advised the Commission is hopelessly split on the question of Oswald's motivation. On the question of recommendations for the future protection of the President, Commission members Dulles and Ford believe there should be a new unit within the Department of Justice having the sole responsibility of protecting the President. The Secret Serivce would be divested of this responsibility. Chief Justice Warren is opposed to this, believing there would be too much concentration of power within the Department.

The material received and reviewed is broken down into separate chapters, and the results of this review are set forth herein after.

THE FORWARD:

This discusses the origin of the Commission, its organization and the manner by which it arrived at the conclusions in the report. Its significant that on page 8 the report states, "The Federal Bureau of Investigation executed the detailed requests made by the Commission with dispatch and thoroughness. At the same

WAB:RDR/sew

COPY SENT TO MR. TOLSON

64 AUG 10 1964

105-82255-Serial 119

time the Federal Bureau of Investigation continued its own investigation into the assassination." Elsewhere in the foreword, it is stated "As this report reflects, the actions of several federal agencies, particularly the Federal Bureau of Investigation, the United States Secret Service, the Central Intelligence Agency, and the Department of State, have been reviewed in detail by the Commission." It points out "the responsible officials of these agencies were called to testify under oath before the Commission" and the Director was specifically named. It is noted the draft did not include the results of investigation concerning Jack L. Ruby. It is stated this was not set out as, "widespread publication of facts regarding the assassination or subsequent killing of Lee Harvey Oswald might interfere with Ruby's rights to fair and impartial treatment on the charges filed against him by the State of Texas."

THE TRIP TO DALLAS:

This section primarily deals with data furnished to the Commission by the United States Secret Service, a copy of which was furnished to the Bureau. It concerns the usual protective procedures for the visit of the President, and what was done for this trip to Dallas. At one point, the Commission stated "no arrangements were made for an inspection of buildings along the motorcade route, either by police or by custodians of the buildings, since it was not the usual practice of the Secret Service to make such a check." At this point, the report in a footnote states this policy is discussed elsewhere in the report. These pages were not available for our review. The Commission also stated "Before leaving the hotel on that fateful day, the President, Mrs. Kennedy and aide Kenneth P. O'Donnell talked about the risks in the President's public appearance. In an almost clairvoyant manner, President Kennedy commented that nothing could prevent an assassin from killing a President from a tall building with a rifle equiped with a telescopic lense, but he concluded that was an unavoidable risk in view of the exposure required of the Head of State and leader of a political party."

The Commission stresses the difficulties inherent in protecting a President due to political considerations wherein a President desires to be as close as possible to the people.

THE SHOTS FROM THE TEXAS SCHOOL BOOK DEPOSITORY:

In this chapter "the Commission has concluded that the shots fired at President Kennedy and Governor Connally were fired from

a sixth floor window at the southeast corner of the Texas School Book Depository Building in a space of approximately five to eight seconds." The Commission also concludes "that two bullets caused all of the wounds suffered by President Kennedy and Governor Connally ...one of the shots most likely the first or the third entirely missed the Presidential car and its occupants." The report states, "not one shread of credible evidence suggests that these shots were fired from the triple overpass, the railroad yards or any other site at the scene of the assassination." The autopsy results on the President are set out and negates prevalent theories that the President had been shot in the throat and it confirms the shots had to be fired from the direction of the Texas School Book Depository Building where Oswald was employed.

THE ACTIVITIES OF OSWALD AFTER THE ASSASSINATION:

This chapter is quite specific in proving that Oswald must have been the assassin and tends to substantiate our findings concerning his movements after the assassination. The Commission established this through various independent time studies and the taking of numerous statements from credible witnesses. This section should put to rest many of the fallacious theories put out by our adversaries in an effort to confuse and complicate our task.

THE MURDER OF TIPPIT:

The Commission is very explicit that every effort was made to uncover credible evidence of a possible link between Oswald and Ruby; however, "no such evidence was discovered." They specifically state that Oswald did murder Tippit and theorized that at the time of the killing he might have been trying to escape to Mexico. The complete feasibility of Oswald being in the area of Tippit's murder and the possible circumstances of why Tippit stopped Oswald is discussed.

LEE HARVEY OSWALD; THE PRE-RUSSIAN PERIOD:

This is divided into sections covering Oswald's boyhood and his service in the U. S. Marine Corps. The Commission goes into detail about the psychiatric examinations made of Oswald in New York; and makes a damaging indictment of Oswald's mother, Mrs. Margarete Oswald, as an unstable and unsavory individual who had a negative effect on her son's development and personality. Oswald's Marine Corps history and experiences are recounted and nothing is set forth which would contradict our inquiries into this period of Oswald's life.

LEE HARVEY OSWALD'S LIFE IN RUSSIA:

In this section the Commission speculates that Oswald probably first decided to defect to Russia when he was stationed in Japan with the U. S. Marine Corps in 1957. Details concerning Oswald's travel to Russia, his attempts to renounce his United States citizenship, and the difficulties he had with Soviet authorities in receiving permission to reside indefinitely in the Soviet Union, and his assignment to a job in Minsk, Russia are discussed. Oswald's courtship and marriage to Marina Oswald is described. The Commission points out that Oswald became disillusioned with the Soviet system in early 1961, and thereafter it summarizes the steps Oswald took to return to the United States. This phase of the Commission's report was largely based upon State Department records, interviews with Marina Oswald and information contained in Oswald's diary and other personal documents found in Oswald's effects following the assassination. There was nothing new brought out in this phase of Oswald's life that had not already been developed through our inquiries and our perusal of State Department documents regarding Oswald.

TECHNICAL EVIDENCE:

It was noted that in setting forth the results of the various technical findings and conclusions the report occasionally departs from the actual expert witness testimony furnished. In some instances this appears in what purports to be verbatim quotes from the testimony, and in other instances it appears in the form of paraphrasing.

CONCLUSION:

It is evident from this draft that the FBI's investigation of the assassination of President Kennedy was essentially correct, and that the Commission has not uncovered any startling information that was not developed in our investigation. The Commission's report is a substantiation of our initial report which was furnished to the Commission as early as December 5, 1963.

ACTION:

When an additional report is received with recommendations conclusions and other material, it will be reviewed and you will be advised of the results.